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01/11/2008

CONFIRMATION NO. ATTORNEY DOCKET NO. FIRST NAMED INVENTOR FILING DATE APPLICATION NO. 5741 075834.00445 Masanobu Tanaka 01/17/2006 10/535,224 **EXAMINER** 01/11/2008 STULTZ, JESSICA T ROBERT J. DEPKE LEWIS T. STEADMAN PAPER NUMBER ART UNIT ROCKEY, DEPKE & LYONS, LLC SUITE 5450 SEARS TOWER 2873 CHICAGO, IL 60606-6306 DELIVERY MODE MAIL DATE **PAPER**

DECISION GRANTING PETITION UNDER 37 CFR 1.138(d)

The declaration of express abandonment is recognized

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is granted.

The express abandonment is recognized. Any previously paid search fee and excess claims fee are hereby refunded.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch Office of Data Management

> Adjustment date: 01/10/2008 01/19/2006 GFREY1 0000006 01 FC:1617 -130.00 OP

05 FC:1614

-1000.00 OP

justment date: 01/10/2008 -300.00 OP

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,224	01/17/2006	Masanobu Tanaka	075834.00445	5741
33448 ROBERT J. DE	7590 01/10/2008 EPKE		EXAM	INER
LEWIS T. STEADMAN			STULTZ, JESSICA T	
ROCKEY, DEI SUITE 5450 SI	PKE & LYONS, LLC EARS TOWER		ART UNIT	PAPER NUMBER
CHICAGO, IL 60606-6306		2873		
			MAIL DATE	DELIVERY MODE
			01/10/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Applicant's failure to timely file a proper reply to the Office letter mailed on		Application No.	Applicant(s)				
Notice of Abandonment Examiner Stultz, Jessica 2873		10/535 224	TANAKA, MASANOBU				
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address— This application is abandoned in view of:	Notice of Abandonment						
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address— This application is abandoned in view of:		Outle lesite	2872				
This application is abandoned in view of: 1.				Idress			
Applicant's failure to timely file a proper reply to the Office letter mailed on	The MAILING DATE of this communication app	pears on the cover sheet w	iui uie correspondence de				
(a)A reply was received on (with a Certificate of Malling or transmission dated), which is spired on (with a period for reply (including a total extension of time of month(s)) which expired on (A proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114). (c)A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the nonfinal rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below). (d)No reply has been received. 2Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the malling date of the Notice of Allowance (PTOL-85). (a)The issue fee and publication fee, if applicable, was roceived on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85). (b)The issue fee and publication fee, if applicable, was roceived on (with a Certificate of Mailing or Transmission dated), which is size fee and publication fee, if applicable, has not been received. 3Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowachility (PTO-37). (a)Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply. (b)No corrected drawings have been received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period	This application is abandoned in view of:						
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